

SENATE FLOOR SUBSTITUTE FOR
SENATE BILL 407

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

AN ACT

RELATING TO HEALTH INSURANCE; PROVIDING A HEALTH COVERAGE
OPTION OF A HIGH-DEDUCTIBLE POLICY WITH A HEALTH SAVINGS
ACCOUNT; REQUIRING RULEMAKING AND RECOMMENDATIONS FROM THE
INSURANCE DIVISION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the New Mexico Insurance Code
is enacted to read:

"~~[NEW MATERIAL]~~ HIGH-DEDUCTIBLE HEALTH PLANS--HEALTH
SAVINGS ACCOUNTS.--

A. Beginning July 1, 2009, health insurers may
offer to persons requesting health insurance coverage the
option of a health-savings-account-qualified high-deductible
health plan, with an annual coverage deductible of at least two
thousand five hundred dollars (\$2,500), in conjunction with the

.173085.1

underscored material = new
[bracketed material] = delete

1 person's creation of a health savings account in compliance
2 with the federal Internal Revenue Code of 1986 and regulations
3 promulgated pursuant to that code by the federal internal
4 revenue service.

5 B. Notwithstanding any other provision of law, a
6 health-savings-plan-qualified high-deductible health plan as
7 provided in Subsection A of this section shall qualify as
8 creditable coverage under the Insurance Code and shall meet any
9 health coverage requirements pursuant to law or rule.

10 C. The insurance division shall:

11 (1) promulgate rules for the administration
12 and implementation of this section; and

13 (2) prior to October 1, 2008, recommend to the
14 interim legislative health and human services committee
15 measures, including legislation, to encourage the use of
16 health-savings-account-qualified high-deductible health plans
17 as provided in Subsection A of this section."